

November 9, 1970  
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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, November 9, 1970, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Jerry Tuttle and Joe D. Withrow present.

ABSENT: Mayor pro tem James B. Whittington, and Councilman John H. Thrower.

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INVOCATION.

The invocation was given by Councilman Sandy Jordan.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the minutes of the last meeting, on Monday, November 2, 1970, were approved as submitted.

ORDINANCE NO. 925-X AMENDING THE 1970-71 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF \$4,400.00 OF THE FIRST WARD BOND FUND TO MCDOWELL STREET WIDENING TO COVER THE COST OF THE PURCHASE OF RIGHT OF WAY BETWEEN 7TH STREET AND 9TH STREET.

Motion was made by Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, adopting subject ordinance authorizing the transfer of \$4,400.00 of the First Ward Bond Fund to McDowell Street Widening to cover the cost of the purchase of right of way between 7th Street and 9th Street, namely: the Annie B. McCoy property, Parcel No. 12, at North McDowell Street and East Seventh Street.

The ordinance is recorded in full in Ordinance Book 17, at Page 445.

MAYOR BELK LEAVES CHAIR.

Mayor Belk left the Chair at this time and Councilman Jordan presided during his absence.

APPRAISAL CONTRACTS APPROVED.

Councilman Short moved approval of appraisal contracts with Mr. Willis I. Henderson and Mr. Stuart W. Elliott, in the amount of \$9,000 each, for the appraisal of 19 parcels of land which is Site A for Downtown Off-Street Parking Facility. The motion was seconded by Councilman Alexander, and carried unanimously

ORDINANCE NO. 926-X AMENDING THE 1970-71 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF \$18,000 OF THE GENERAL FUND CONTINGENCY TO PUBLIC WORKS - RIGHT OF WAY - TO BE USED TO PAY FOR THE APPRAISAL ON THE PROPOSED OFF-STREET PARKING FACILITY.

Upon motion of Councilman Tuttle, seconded by Councilman Withrow, and unanimously carried, the subject ordinance was adopted authorizing the transfer of \$18,000 of the General Fund Contingency to Public Works - Right of Way - to be used to pay for the appraisal on the proposed off-street parking facility, as recommended by Wilbur Smith and Company.

The ordinance is recorded in full in Ordinance Book 17, at Page 446.

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RESOLUTION OF ACCEPTANCE OF A FEDERAL SANITARY SEWER CONSTRUCTION GRANT FOR MCMULLEN CREEK OUTFALL.

Motion was made by Councilman Short, seconded by Councilman Tuttle, and unanimously carried, adopting subject resolution of acceptance of a federal sanitary sewer construction grant for McMullen Creek Outfall in the amount of \$340,590.00.

The resolution is recorded in full in Resolutions Book 7, at Page 156.

RESOLUTION OF ACCEPTANCE OF A FEDERAL SANITARY SEWER CONSTRUCTION GRANT FOR LOWER BRIAR CREEK OUTFALL.

Councilman Short moved adoption of subject resolution of acceptance of a federal sanitary sewer construction grant for Lower Briar Creek Outfall, in the amount of \$275,310.00. The motion was seconded by Councilman Tuttle, and carried unanimously.

The resolution is recorded in full in Resolutions Book 7, at Page 157.

PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Short, and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of 30' x 6,036.69' of easement on the west bank of McMullen Creek, south of N. C. 51, from Carolina Caribbean Corporation, at \$3,287.00, for the McMullen Creek Outfall.
- (b) Acquisition of 50' x 136.5' of property at 1005 McAden Street, from Mrs. Mary Louise Hanson Estate, at \$500.00, for the Sugar-Creek-Irwin Creek Open Space.
- (c) Acquisition of 52' x 183' of property at 923 Grove Street, from L. Ethel Brown, widow, at \$2,000.00, for the Sugar Creek-Irwin Creek Open Space.

RESOLUTION TO RESCIND ACTION OF COUNCIL IN MEETING ON AUGUST 24, 1970 IN ITS APPROVAL OF THE ACQUISITION OF PROPERTY BELONGING TO CHARLES BASIL BLANCHARD AND WIFE AT 4506 DENVER AVENUE.

Motion was made by Councilman Alexander, seconded by Councilman Tuttle, and unanimously carried, adopting the subject resolution rescinding action of Council in meeting on August 24, 1970, in its approval of the acquisition of property belonging to Charles Basil Blanchard and wife at 4506 Denver Avenue.

The resolution is recorded in full in Resolutions Book 7, at Page 158.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CHARLES BASIL BLANCHARD AND WIFE AT 4506 DENVER AVENUE FOR TAGGART CREEK OUTFALL.

Councilman Alexander moved adoption of the subject resolution authorizing condemnation proceedings for the acquisition of property belonging to Charles Basil Blanchard and wife, Neely, located at 4506 Denver Avenue, for the Taggart Creek Outfall. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 7, at Page 159.

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ENCROACHMENT AGREEMENT WITH PRIME CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF A SANITARY SEWER FORCE MAIN IN NATIONS FORD ROAD AT THE INTERSECTION OF WOODLAWN ROAD, APPROVED.

Upon motion of Councilman Withrow, seconded by Councilman Short, and unanimously carried, the subject encroachment agreement with Prime Construction Company for the construction of a sanitary sewer force main in Nations Ford Road at the intersection of Woodlawn Road, was approved.

INSTALLATION OF SANITARY SEWERS, APPROVED.

Motion was made by Councilman Tuttle, seconded by Councilman Short, and unanimously carried, approving the requests for installation of sanitary sewers, as follows:

- (a) Request of Arrowood-Morgan Construction, Inc., for the installation of 2,240 lineal feet of 8-inch trunk and main to serve Bridlewood II Subdivision, outside the city, at an estimated cost of \$19,910.00. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the Agreement.
- (b) Request of Avis Rent-A-Car System, Inc., for the installation of 390 lineal feet of 8-inch trunk and 200 lineal feet of 8-inch main in New Dixie Road, at the Airport, outside the city, at an estimated cost of \$4,960.00. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.
- (c) Request of Pines of Charlotte, Inc., for the installation of 755 lineal feet of 8-inch main in Faye Street off West Boulevard, inside the city, at an estimated cost of \$7,176.62. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.
- (d) Request of Mecklenburg County Alcoholic Beverage Control Board for the installation of 780 lineal feet of 8-inch main to serve Randolph Clinic, Inc., inside the city, at an estimated cost of \$5,000.00. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.
- (e) Request of Myers and Chapman Investment Company, for the installation of 400 lineal feet of 8-inch main to serve property on South Boulevard, inside the city, at an estimated cost of \$3,656.62. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.
- (f) Request of Southern Piping and Engineering Company, Inc., for the installation of 200 lineal feet of 8-inch trunk to serve the Day Care Center at Edwin and Person Streets, inside the city, at an estimated cost of \$1,327.81. All cost of construction will be borne by the applicant whose deposit in the full amount has been received and is not to be refunded.

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**STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE.**

Councilman Short moved that the following streets be taken over for continuous maintenance by the City. The motion was seconded by Councilman Tuttle, and unanimously carried.

- (a) Matador Lane, from Selwyn Avenue to 255 feet west of Selwyn Avenue.
- (b) South Caldwell Street, from Templeton Avenue to South Boulevard.
- (c) Knickerbocker Drive, from Monroe Road to 45 feet west of Melba Drive.
- (d) Bainbridge Road, from Knickerbocker Drive to 390 feet north of Knickerbocker Drive.
- (e) Melba Drive, from Knickerbocker Drive to 155 feet south of Knickerbocker Drive.

**ORDINANCE NO. 927-X ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE AT 818-820 WEST FIFTH STREET.**

Upon motion of Councilman Withrow, seconded by Councilman Short, and unanimously carried, the subject ordinance was adopted ordering the removal of an abandoned motor vehicle at 818-820 West Fifth Street, pursuant to Article 13-1.2 of the City Code, and Chapter 160-200(43) of the General Statutes of North Carolina.

The ordinance is recorded in full in Ordinance Book 17, at Page 447.

**MAYOR BELK RETURNS TO CHAIR.**

Mayor Belk returned to the Chair at this time and was present for the remainder of the Session.

**ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA.**

Motion was made by Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, adopting the following ordinances ordering the removal of weeds and grass:

- (a) Ordinance No. 928-X ordering the removal of weeds and grass adjacent to 307 Cemetery Street.
- (b) Ordinance No. 929-X ordering the removal of weeds and grass adjacent to 141 Perrin Place.
- (c) Ordinance No. 930-X ordering the removal of weeds and grass at corner of I-85 Service Road and Dilling Street.

The ordinances are recorded in full in Ordinance Book 17, beginning on Page 448.

**ORDINANCES ORDERING THE DEMOLITION AND REMOVAL OF DWELLINGS PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 15, CHAPTER 160, OF THE GENERAL STATUTES OF NORTH CAROLINA.**

Motion was made by Councilman Tuttle and seconded by Councilman Short to adopt the following ordinances ordering the demolition and removal of dwellings pursuant to the Housing Code of the City of Charlotte and Article 15, Chapter 160, of the General Statutes of North Carolina, as follows:

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- (a) Ordinance No. 931-X ordering the demolition and removal of dwelling at 2529 Rozzells Ferry Road.
- (b) Ordinance No. 932-X ordering the demolition and removal of dwelling at 1109 Jefferson Street.
- (c) Ordinance No. 933-X ordering the demolition and removal of dwelling at 507 West Eighth Street.
- (d) Ordinance No. 934-X ordering the demolition and removal of dwelling on Dilling Street, Tax Book 003-14-09, Deed Reference 1850-339.

Council was advised that Mr. Lee Kinney had indicated he would contest the demolition of the dwelling at 507 West Eighth Street and Mr. Tom Jones had indicated he would contest the demolition on Dilling Street.

At the request of Councilman Tuttle, pictures of all the buildings to be demolished were passed around.

Mr. Jamison, Superintendent of the Building Inspection Department, stated they have been concerned with the property on Dilling Street since 1964. This person has moved this same material from five different places around the city, and they have had him move it each time after a considerable amount of trouble. That they took him to court one time. It seems the only way they can get rid of it is to demolish it and haul it to the landfill.

Mr. Jamison stated he was informed this morning that Mr. Kinney would not contest the demolition on West Eighth Street.

No one spoke in opposition to the demolitions.

The vote was taken on the motion and carried unanimously.

The ordinances are recorded in full in Ordinance Book 17, beginning at Page 451.

#### SPECIAL OFFICER PERMITS AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, special officer permits were authorized for a period of one year, as follows:

- (a) Issuance of permit to Carl C. Moore for use on the premises of Park Fairfax Apartment Project.
- (b) Renewal of permits for use on the premises of Charlotte Branch, Federal Reserve Bank of Richmond, as follows: W. Paul Watson, Jack D. Austin, Donald R. Barrett, Ralph J. Beatty, Hugh E. Dickey, Earl A. Frady, Ernest C. Green, Paul T. Guin, Earle P. Gunther, Paul E. Haefling, David S. Harllee, Frank W. Helderman, W. Y. Henderson, Robert H. Horne, Samuel W. Jordan, Wade H. Linker, George W. Morgan, Johnnie C. Mumford, Donald R. Oshinski, J. Wesley Parks, Oliver W. Parks, Joe L. Puckett, Jr., Milton P. Therrell, Jackie Lee Thomas.

#### TRANSFER OF CEMETERY DEED.

Motion was made by Councilman Withrow, seconded by Councilman Jordan, and unanimously carried, authorizing the Mayor and City Clerk to execute a deed with Charles Crawford and wife, Mrs. Anne L. Crawford, for Lot No. 229, Section 6, Evergreen Cemetery, at \$320.00.



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**CONTRACT AWARDED REID ELECTRICAL COMPANY FOR ELECTRICAL WORK FOR THE METAL BUILDING FOR SANITATION DEPARTMENT.**

Councilman Jordan moved award of contract to the low bidder, Reid Electrical Company, in the amount of \$2,343.00, for electrical work for the metal building for Sanitation Department. The motion was seconded by Councilman Alexander, and carried unanimously.

The following bids were received:

Reid Electrical Company	\$ 2,343.00
Interstate Electrical Company	2,470.00
Ross Electrical Company	2,527.00
Austin Electrical Company	3,391.00

**CONTRACT AWARDED AIR MASTERS, INC. FOR HEATING AND AIR CONDITIONING FOR MOTOR TRANSPORT BUILDING.**

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the subject contract was awarded the low bidder, Air Masters, Inc., in the amount of \$4,994.00, for heating and air conditioning for the Motor Transport Building.

The following bids were received:

Air Masters, Inc.	\$ 4,994.00
Ross & Witmer, Inc.	7,000.00
Southern Comfort of Charlotte	7,185.00

**RAYMOND E. KING, JR. NOMINATED FOR REAPPOINTMENT TO THE REDEVELOPMENT COMMISSION.**

Councilman Jordan placed in nomination the name of Mr. Raymond E. King, Jr. for a term of five years for reappointment to the Redevelopment Commission.

**COUNCILMAN MILTON SHORT APPOINTED AS COUNCIL OF GOVERNMENT DELEGATE FOR 1971.**

Councilman Alexander moved reappointment of Councilman Milton Short as the Council's delegate for one year beginning January 1, 1971 to the Council of Government. The motion was seconded by Councilman Jordan, and carried unanimously.

**REPORT FROM COUNCIL'S LITTER COMMITTEE.**

Councilman Jordan stated the Council's Litter Committee is receiving calls from people throughout the city regarding the anti-litter campaign. That the people are willing to help and this is very commendable and he hopes they will keep up their interest. He stated this project is off to a good start and it looks real good for the coming year.

**USE OF CITY OWNED VEHICLES FOR PRIVATE USE BY POLICE OFFICERS TO BE PLACED ON LIST OF LEGISLATIVE MATTERS TO BE DISCUSSED BY COUNCIL.**

Councilman Tuttle stated sometime ago, Council discussed the possibility of at least a portion of the Police Force using police cars as a deterrent for crime. If he remembers correctly it was not only a matter of cost but someone brought up the fact that some officials in Indianapolis did not think this had been an overwhelming success. He stated there is an article in the Charlotte Observer this morning and Dallas has now been added to this list, and Dallas has been using some 60 cars for some months with apparently great success according to their police chief. The article stated there had been noticeable difference.

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He asked if the city intends to let this matter die or if we cannot give it another look in the light of what Dallas has done. He wonders if we might open this up again and take a look at experimenting with perhaps ten cars and see how it works.

Mr. Underhill, City Attorney, stated an opinion of the Attorney General says that presently public automobiles or city owned automobiles for private use such as contemplated by this would be illegal; it would require a change in our state statutes. That this is only an advisory attorney general's opinion. Mr. Underhill stated this is one of the legislative items that will be before Council for consideration in a few weeks.

CHAIRMAN OF HOUSING AUTHORITY AND EXECUTIVE DIRECTOR REQUESTED TO COMMENT ON NEED FOR SPECIAL OFFICERS AT CERTAIN PUBLIC HOUSING PROJECTS.

Councilman Short stated today on the Agenda Council authorized the issuance of a Special Officer Permit to a gentleman who is going to be a guard at an apartment project.

He stated he has had communications from some of the people who live in the City's Public Housing Projects, and he believes that some of the conditions that exist in the public housing projects, based on reports he has from two reliable citizens, are a real hardship for some of the tenants. That crime occurs in the public housing projects and it is difficult for our Police to handle this on an around-the-clock basis.

Councilman Short requested the City Clerk to send this portion of the Minutes to Mr. Earle Gluck and Mr. Lowman. He stated he would appreciate it if they would advise him privately, or advise the Council if they prefer, whether they think it would be possible, practical and desirable to have private guard service for at least certain of the housing projects which they would select. He stated he would be glad to confer with them about the ones where he thinks they are particularly needed.

Councilman Short stated the very needful period is at night. Some of the situations are rather extreme and a real hardship on some of the tenants.

REQUEST THAT PETITION NO. 70-111 BY CONSTRUCTION BRICK AND TILE COMPANY BE PLACED ON AGENDA FOR DECISION BY COUNCIL AT ITS NEXT MEETING.

Councilman Alexander stated at a prior meeting of Council, decision was deferred on Zoning Petition No. 70-111 by Construction Brick and Tile Company for further information that would assure Council of the construction of the crosswalk in the University of North Carolina area. Council has received further information which he thinks gives as much factual data as can be given. Also as close to a legal commitment as can be given, plus the approval of the North Carolina Highway Commission regarding the matter. Councilman Alexander requested that the matter be placed on the Docket for the next Council Meeting.

Councilman Tuttle stated as the letter reads, he cannot vote for the petition; the petitioners have committed themselves but they have committed themselves on Page 3 of the letter which reads as follows: "... help build the crosswalk and further that construction of the crosswalk will be commenced on or before building permits are issued to enable completion of the final 35% of the town city as shown on the submitted drawings." Councilman Tuttle stated that could be ten years; we do not know their timetable. He stated they are talking about completing 65% of the project before committing themselves. That it was mentioned the project would be in three stages. If they do one stage and three years later they do another stage and three years later they do another, six years have gone by before there is a crosswalk. He stated he will have to know something more before he can vote for it.

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Councilman Alexander stated whatever the objections are, he thinks Council has received enough information to not hold the petition any longer and it should be before Council for some decision. If there is a necessity for further information, he does not think anyone will not have the opportunity to see they are satisfied. That he does not think it should be put off any further for decision.

Councilman Short stated the majority of Council voted to put business in various selected spots around the campus and university without requiring any sort of pedestrian walkway at all. Yet we now want more proof and more urgency in the building of this crosswalk then anyone would be able to give on a quarter of a million dollar project. It seems to him in turning this down, we have taken the stance that if you don't give total proof and total security that you are going to build a crosswalk, then we are going to turn you down and leave the building of a shopping center to those who have not offered to build a crosswalk at all.

Councilman Tuttle stated this was discussed time and time again by this Council. It was discussed out at the University itself; that the President of the University himself said they were very much in favor of this shopping center but that a crosswalk must be provided to protect the students. That he thinks this was in everyone's mind from the beginning when the property was zoned for business.

Councilman Short stated he does not think the administration of the University wants this crosswalk anymore than they would want one leading to another shopping center across Highway 49 or Highway 29 or I-85.

Councilman Alexander stated he feels we are questioning "good faith" far beyond what is absolutely necessary. That when we get to the point where we question good faith in citizens and their intentions about things like this, we get far out. That he is aware that most anything can happen, but he has confidence in citizenry to the extent that in some endeavors, we have to live with good faith commitments. That whatever we think individually a decision should be made and not have the petitioners held up for a final decision. He stated the petitioners have complied with as much as Council has asked them; that all who have personal questions to ask will have the opportunity before now and next Monday to ask these questions.

Councilman Tuttle stated he has not questioned anyone's integrity; that he is reading their own statement; that they promise to build the walk when the final 35% or after 65% has been built; then they promise. That we have no time schedule for that. That he does not question integrity; that he is reading their own statement.

#### ADMINISTRATIVE BUILDING REQUESTED MOVED UP ON PRIORITY LIST.

Councilman Alexander stated everytime we talk about our various projects, we run into a problem of space. Space is our big problem. Space has much to do with holding down the rapidity at which our professional staff can do some of their work. Space is always a part of our decisions now.

Councilman Alexander stated he hopes no stones are left unturned to arrive at some hasty decisions for an administrative building. That this needs to be moved up somewhat in priority. That he knows it is being talked about and some tentative work is being done, but he does not think tentative is fast enough.

Councilman Alexander stated Council should authorize the professional staff to immediately proceed to do those things that are necessary to speed up the possibilities of moving towards a new administrative facility. That he does not think it can be shoved back as a low priority because we are tying up too much now.

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Councilman Tuttle stated it would be well to look into the possibility of this building being built for us. Someone could build a 25 story building and the City take the first ten floors with option for the future. That this would relieve us from having to ask for bond money and capital investment. This should be looked into and if it looks feasible then turn it over to some real estate men to see if they can get someone interested in building it.

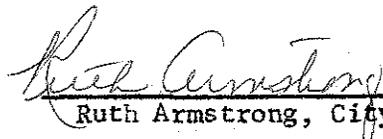
Councilman Short stated he does not know if we can burn any bridges behind us until after the consolidation referendum which would have some bearing upon the character and usage of the building. The idea mentioned by Mr. Tuttle and which is similar to what Mr. Jordan has been saying for a long time is private construction of the building. This sort of approach is being considered by Commissions and Committees of the Legislature. That he thinks we would need some enabling. That this kind of enabling should be pursued in any event, and after the referendum on consolidation, we should give this consideration top priority.

Mr. Veeder, City Manager, stated Mr. Hopson, Public Works Director, had a meeting with the Consultants on the space needs last week. That this report is being made jointly with the County in terms of anticipating city-county office space needs. An interim report has been made.

Councilman Withrow stated the city has a Safety Program and he thinks the City should have a Cost Reduction Program. That the government has this program, and it is under the Safety Program. That the Cost Reduction Program would also study the space problems as to how much money could be saved. That all the large corporations have this program, and it is usually under the Safety Program. He stated the City needs such a program.

ADJOURNMENT.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, the meeting was adjourned.



Ruth Armstrong, City Clerk